

REMARKS

Claims 1-77 and 79-86 are pending.

Claims 1, 12, 36, 40, 46-47, 60 and 70-72 are amended.

Claim 78 is cancelled.

In the Non-final Office Action mailed on February 23, 2006, the Examiner rejected the above mentioned pending claims under 35 U.S.C. §§ 102 and 103. The undersigned is thankful for the opportunity of interviewing with the Examiner on July 18th, in which the current amendments and, as a result, the possibility of allowance, pending further examination, were discussed. For the reasons set forth in detail below, applicant submits that the present application, including each of pending claims, is in condition for allowance.

Rejection Under 35 U.S.C. § 102(e) of Claims 1-81 and 86

1. The Examiner rejected claims 1-81 and 86 under 35 U.S.C. § 102(e) as being anticipated by Yamano (US Pat. No. 6,636,516).

Claim 78 is hereby cancelled.

In Yamano, if the ATM address field contains no data, an address resolution request is sent to the public switched packet network (e.g., the Internet) and a destination ATM address is received in reply, which is stored in the ATM address field (Abstract lines 9-14, and column 2, lines 25-30).

In contrast, in all of rejected independent claims, no address is requested from outside a destination node. At each destination along a routing path the virtual identifier that has been used to route the data communication to that destination is contrasted with the network address associated with that destination. If they are different, an

appropriate resource/application-program that is associated with the destination is determined, to which the data communication is supplied for further processing/routing. Therefore, in the present claims, routing of the data is without a need for addresses supplied from outside the destination node, which is significantly different from Yamano's.

However, per the discussion with the Examiner on July 18th, the undersigned agreed to amend all the independent claims to include the specific limitation that: modification of the indication of the destination network address does not involve utilizing an address provided from outside of the destination node. Support for this amendment is found in the paragraphs describing Figure 7.

For a claim to be rejected based on anticipation under 35 U.S.C. §102(a), (b), and (e), MPEP 2131 requires that: "the reference must teach every element of the claim." Yamano does not teach or even suggest what is recited in the newly amended independent claims 1, 12, 36, 40, 46-47, 60 and 70-72 and, therefore, a *prima facie* case of anticipation under Section 102 can not been established with respect to these independent claims; hence, the withdrawal of the Section 102 rejection of these independent claims and their dependent claims is requested – making claims 1-77, 79-81 and 86 allowable.

Rejection Under 35 U.S.C. § 103(a) of Claims 82-85

1. The Examiner rejected claims 82-85 under 35 U.S.C. § 103(a) as being unpatentable over Yamano (US Pat. No. 6,636,516) in view of Pekkala (US Pat. App. Pub. No. 2002/0172195 A1).

Rejected claims 82-85 depend from previously mentioned allowable claim 12 and, therefore, should be allowed.

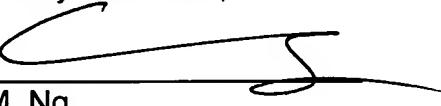
Conclusion

In view of the foregoing, all of the claims pending in the application are in condition for allowance and, therefore, a Notice of Allowance is respectfully requested. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to call the undersigned at (206) 359-6488.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 50-0665, under Order No. 030048041US from which the undersigned is authorized to draw.

Dated: 7/27/06

Respectfully submitted,

By 
Chun M. Ng

Registration No.: 36,878
PERKINS COIE LLP
P.O. Box 1247
Seattle, Washington 98111-1247
(206) 359-8000
(206) 359-7198 (Fax)
Attorney for Applicant